

MINUTES OF THE MILLVILLE
TOWN COUNCIL MEETING
July 27, 2021 @ 7:00 p.m.

1. CALL TO ORDER

Mayor Belinko called the meeting to order at 7:00 p.m. with the **Pledge of Allegiance**. **Present:** Council Members Sharon Brienza, Barbara Ryer, Robert Wisgirda, and Steve Maneri. Town Manager Debbie Botchie, Town Engineer Andrew Lyons, Code & Building Official Eric Evans, Administrative Assistant Jennifer Ireland, and Town Clerk Wendy Mardini were also present.

2. CITIZENS' PRIVILEGE

Joanna Manthos, 35405 Atlantic Avenue (Railway and Rt. 26), Millville, DE 19967, wanted to know what was the status with the Bethany Bay Town Shoppes site plan application. She stated that her home was right next door to the proposed new shops and is she is having a lot of difficulty exiting her driveway already. Mayor Belinko asked if Mr. Andrew Lyons and Ms. Debbie Botchie would address same.

Mr. Lyons advised that the Shoppes have submitted their final plans but have not been reviewed yet. Ms. Botchie also advised that they have been through preliminary review, submitted final site plans, and they will need to have all State approvals before being finalized and it will be put on a future agenda for Council's consideration. Ms. Manthos pointed out that this was not on the website and Ms. Botchie advised Ms. Manthos that the plans for the Bethany Bay Town Shoppes will not be on the website until it is ready for final approval.

Ms. Manthos wanted to know if she should contact DelDOT about the problems she is having getting out on to Rt. 26. Mr. Lyons stated that the entrance and exit have been approved by DelDOT and the applicants need to have the entrance on Railway for the shops per DelDOT.

Ms. Manthos also had a question regarding the pond at the corner of Windmill and Rt. 26. Her concern was the water being green, unsightliness, increase in mosquitoes and wanted to know if a fountain of some sort could be installed. Ms. Botchie stated that DelDOT would not let the Town do anything with it and that the Town was working on acquiring that piece of land either by purchase or donation. Ms. Botchie advised that the Town did get prices for a fountain if the property is acquired and prices from EnviroTech to keep it clean. Ms. Botchie noted that the Town would like to keep it as a passive area, and that walking paths would likely be installed. She advised Ms. Manthos that DelDOT put a moratorium on any type of land acquisition during COVID. Mr. Evans and Ms. Botchie have been in contact with Sara Esposito, and it is back in the "pipeline" for consideration. Mayor Belinko said that the Town would like that corner of property to be known as the "Gateway to Millville."

3. NEW BUSINESS

A. Review, discuss, and possible vote on a final site plan submitted by Robert Plitko of Plitko, LLC and Land Design, Inc. on behalf of Rickards Real Estate Delaware, LLC for a proposed bakery (Morning Buns) and restaurant (Perucci's). The 1.33 acres site is located on Tax Map Parcel #134-12.00-282.00, 35715 Atlantic Ave., Millville, DE 19967, and is zoned C1-Commercial.

Ray Blakeney of Land Design, Inc., and owner Jim Rickards presented the site plans. Mr. Rickards stated he purchased property where the previous Dickens Parlor Theatre was located and wants to use the front building as the bakery, and the rear building as the restaurant.

Andrew Lyons confirmed that all items recommended by the Planning and Zoning Commission, had been addressed by Plitko, LLC. Mr. Lyons stated the two businesses would not be allowed to be open at the same time. He stated the applicant had all the necessary agency approvals.

A motion was made by Council Member Ryer, seconded by Council Member Brienza, to approve the final site plan. The motion carried unanimously 5-0.

B. Discuss, and possible vote on the hours for the pickleball courts at Evans Park at Millville.

Mayor Belinko brought up the issue regarding the fact that the public is requesting that the pickleball courts at Evans Park be lit at night. Mayor Belinko stated that amenities at the park can be established on their own merit. For example, in the future we plan on having outdoor movies, but they cannot begin until after dusk, we will have concert shows once we have our Pavilion, community building that has 10:30 closing time for various reasons, etc. He stated that when we put these rules in place, we were in uncharted waters, and we are experiencing trial and error regarding these amenities. Mayor Belinko pointed out that this park is the focal point of the community, and we have residents that want to use it. He asked Eric Evans about comments he has received from the public since he is out there daily. He Mr. Evans commented that people have sent emails and made phone calls to the Town asking why we do not use the lights if we have them and asked that we keep them on until 10:00 p.m. Mr. Evans advised that people want to play in the cooler hours and have been at the courts at 7:30 a.m. He took into consideration the hours of operation of the park, obtained a decibel app and sat by Lot 12 (the closest spot to the park, it is 70' from property line to property line). He advised that the decibel level was 45.2 (quiet) to 79.4. Mr. Evans surmised that it would be very quiet for the homeowners. Lot 12 is 70' away, Lot 13-16 in the next phase will be 50' to 80' (property line to property line). However, they are down past the first exercise station because we have a pond in place and right of way easement for the stormwater drain and he thinks that the noise at the courts should be minimal. He also measured regular car noise which measured on Windmill were measuring about 50 decibel and that is considered standard noise and not

overbearing. Mr. Evans stated all the lights that we have at the park are down lights and low voltage lights that go around the trail. He said they are not shining into yards at Parkside Community. He stated potential homeowners know the park is there and the courts are there and should be aware of same. Mr. Evans recommends that the lights be on at the Courts until 10:00 p.m. and the Mayor agreed. The Mayor also pointed out that we will be the only pickleball courts to be lit at night in the area and this will be an asset for the Town of Millville and the citizens will be able to enjoy their park. Ms. Brienza asked if the lights were on a timer and Mr. Evans ~~has~~ acknowledged that he has set them.

A motion was made by Council Member Brienza, seconded by Council Member Ryer, to allow the pickleball court lights to remain on until 10:00 p.m. The motion carried unanimously 5/0.

C. Discuss, and possible vote on moving forward with poured rubber surface under the swings.

Mayor Belinko stated he felt the mulch under the swings was potentially an unsanitary environment for the children. Ms. Botchie informed Council about applying for the DNREC grant in the amount of \$60,000 for the rubber poured surface and if approved, the State will match us \$30,000.00. She was informed that DNREC accepted our pre-application, and she is in the process of completing the paperwork for the grant. Ms. Botchie also spoke to Michael Tholstrup, who oversees this, and asked him if we could proceed to install the poured rubber surface and still be in the pipeline for the grant, and she received a waiver saying that we could move forward. Therefore, Ms. Botchie is requesting of Council that we move forward to get this ordered and installed. Ms. Botchie also pointed out that the mulch is not ADA compliant presently. Mr. Wisgirda asked if there is a requirement to look for other bids and Ms. Botchie advised that this was a State contract and was the best value, however, Council could make that decision.

A motion was made by Council Member Ryer, seconded by Council Member Maneri, to move forward with the poured rubber surface. The motion carried unanimously 5/0.

D. Discuss, and possible vote on the newly formed Park and Recreation Commission.

Mayor Belinko briefly confirmed the chosen members of the new Parks and Recreation Commission to members of Council as follows:

1. Commissioner Pat Plocek- Coventry
2. Commissioner Wally Kohl- Bishop's Landing
3. Commissioner Cathy Sheck- Millville by the Sea
4. Advisor Paul DuCott- Town Employee

Mayor Belinko stated this new commission would be bringing recommendations and suggestions to the Council along with the Park Attendant, Paul DuCott, as Advisor. Their meetings will be opened to the public, and it will be recommended that they meet at the new Community Center starting in September. The chosen applicants will be sworn in at the next Town Council meeting. Mr. Wisgirda inquired as how many applicants were reviewed and Mayor Belinko advised that there were 8 total applicants. It was also suggested by Ms. Brienza that the members of the Park and Recreation Committee go over to the park and talk to people to get some ideas as to what they would like to see what is going on and to get some ideas as to what people are looking for.

A motion was made by Council Member Brienza, seconded by Councilmember Ryer, to approve the chosen commissioners. The motion carried unanimously 5/0.

4. CITIZENS' PRIVILEGE

There were no comments.

Mr. Wisgirda asked for a moment of "Personal Privilege", making a statement as a private citizen, which was granted by Mayor Belinko. Mr. Wisgirda encouraged the Community to support the expansion fundraising efforts for the Millville Fire Department. Mayor Belinko also encouraged donations of school supplies supported by the Delaware State Police. Ms. Botchie thanked Ms. Brienza for the generous donations made by the residents of Millville by The Sea.

Mayor Belinko also acknowledged the school supply drive sponsored by the Delaware State Police and thanks everyone for their contributions.

5. ANNOUNCEMENT OF NEXT MEETING

Town Council Meeting- August 10, 2021, at 7:00 p.m.

6. ADJOURNMENT

A motion was made by Council Member Brienza, seconded by Council Member Ryer, to adjourn the meeting at 7:41 p.m. The motion carried unanimously 5/0

Respectfully submitted,
Wendy Mardini
Town Clerk

(Due to new formatting on the meeting minutes, the numbered items on the agenda will not coincide with the numbered paragraphs in these minutes.)